



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/738,319	12/17/2003	Patrick M. Bailey	LENX-0002	7917
27964	7590	05/12/2008		
HITT GAINES P.C. P.O. BOX 832570 RICHARDSON, TX 75083			EXAMINER NATALINI, JEFF WILLIAM	
			ART UNIT 2831	PAPER NUMBER
			NOTIFICATION DATE 05/12/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket@hittgaines.com

Office Action Summary	Application No. 10/738,319	Applicant(s) BAILEY ET AL.	
	Examiner JEFF NATALINI	Art Unit 2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2 and 4-27 is/are pending in the application.
- 4a) Of the above claim(s) 8-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1, 2, 4-7, and 27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 5, 7, and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Cyberpower User Manual for CPS700AVR (herein to referred to as Cyberpower).

In regard to claim 1, Cyberpower discloses a centralized connector module (see figure on page labeled page 1 (actually 3rd page of the document)), comprising:

a dielectric body (see front page of manual, module is a plastic body) having interconnected terminal sets (figure on page labeled 1, elements 9 and 7, the wiring of these elements are interconnected to power/ground/neutral) corresponding to components connectable thereacross (computers, TV, lamps, phone, etc; see picture on the second page, and picture under number 3 on page labeled 2 in the document) and configured to provide terminating points for said components for continuous operation thereof (terminating points are the plugs that the components are plugged into see pages labeled 1 elements 9 and 7) said centralized connector module incapable of controlling said components (no control takes place in the module);

continuity indicator circuits within said body and associated with at least some of said terminal sets (labeled page 1, description #2; indicator circuits are able to indicate any of bad ground, missed ground, or reversed wiring of the connection of the

component through the module to power/ground for all the terminal sets connections), the indicator circuits configured to indicate continuity with respect to connected one of said components (page 7, the last condition where the wiring fault LED is lit up; the wiring problem will represent a fault between the power/ground and any of components that are connected to module).

In regard to claim 5, Cyberpower discloses an AC Power In terminal set (figure on labeled page 1; #8 circuit breaker for allowing voltage from the power source) and a voltage indicator circuit associated therewith and configured to indicate a presence of a voltage thereacross (figure on labeled page 1; #1 voltage indicator receiving power from the power source and an LED lighting up showing the voltage is supplied).

In regard to claim 7, Cyberpower disclose wherein said terminal sets remain functional upon a failure of any of said continuity indicator circuits (the terminal sets - figure on page labeled 1, elements 9 and 7, the wiring of these elements are interconnected to power/ground/neutral – would remain functional (they would continue to connect the components across the module, having the plugs as terminal points) as long as there was no fault in the wired connection between power/ground and the components).

In regard to claim 27, Cyberpower discloses wherein at least one of said continuity faults represent an open electrical circuit with respect to at least one of said connected ones of said components (labeled page 1, description #2; indicator circuits are able to indicate a missed ground of the connection of the component through the

module to power/ground for all the terminal sets connections, which is an open electrical circuit (no connect) in the connection).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 4, and 6 rejected under 35 U.S.C. 103(a) as being unpatentable over Cyberpower in view of Cheek et al. (3728616).

In regard to claims 2, 4, and 6, Cyberpower specifically discloses that the continuity indicator circuits comprise a single diode that will output that a fault is present in the circuit (figure on labeled page 2, element 2).

Cyberpower lacks specifically stating that some of the terminal sets are connected in series and wherein the continuity circuits have impedances based on illuminating light emitting diodes, wherein voltage indicator circuits are associated with the output terminals sets to indicate an operation of corresponding ones of said components.

Cheek et al. discloses wherein the terminal sets are connected in series (fig 1 (R11 in series with R21 which is in series with R22, etc.) and wherein the continuity circuits have impedances based on illuminating light emitting diodes (col 3 line 35-41 and line 61- col 4 line 7), wherein voltage indicator circuits are associated with the

output terminals sets to indicate an operation of corresponding ones of said components (abstract).

It would have been obvious to one with ordinary skill in the art at the time the invention was made for Cyberpower to include terminal sets connected in series where a light is illuminated in association with the detection, wherein voltage indicator circuits are associated with output terminals of the components as taught by Cheek et al. in order to test for wiring errors in a plurality of pairs of terminals (abstract) so that it can be determined which particular connections are defective or fine (col 3 line 61 – col 4 line 7).

Response to Arguments

5. Applicant's arguments with respect to claims 1, 2, and 4-7 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEFF NATALINI whose telephone number is (571)272-2266. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez can be reached on 571-272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Diego Gutierrez/
Supervisory Patent Examiner, Art Unit 2831

/Jeff Natalini/
Examiner, Art Unit 2831